



Chuck Johnson
Attitash Bear Peak
PO Box 308
Bartlett, New Hampshire 03812

Dear Mr. Johnson:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On August 26, 2002, DES inspected the following public bathing facilities at the Attitash Bear Peak, in Bartlett, NH: the Aquabogen receiving pool ("Aquabogen"), the Buddy Bears wading pool ("Buddy Bears") and the Sidewinder receiving pool ("Sidewinder"). During this inspection, the following deficiencies were noted:

A recommendation to super chlorinate the Aquabogen was issued on August 27, 2002. The inspection on August 26, 2002 revealed that the Aquabogen was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Aquabogen water:

Pursuant to Env-Ws 1103.14(a)(1) the maximum allowable concentration of total coliform bacteria and *Escherichia coli* in public bathing facility water is zero counts per one hundred milliliters (0CTS/100mL). The Aquabogen water contained greater than 200 CTS/100mL of total coliform bacteria.

- b. The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Aquabogen water contained greater than 200 CTS/100mL.

- 2 A recommendation to super chlorinate the Buddy Bears was issued on August 27, 2002. The inspection on August 26, 2002 revealed that the Buddy Bears was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violation was observed in the Buddy Bears water:

Pursuant to Env-Ws 1103.14(a)(1) the maximum allowable concentration of total coliform bacteria and *Escherichia coli* in public bathing facility water is zero counts per one hundred milliliters (0CTS/100mL). The Buddy Bears water contained 8 CTS/100mL of total coliform bacteria.

- 3 A recommendation to super chlorinate the Sidewinder was issued on August 27, 2002. The inspection on August 26, 2002 revealed that the Sidewinder was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Sidewinder water:

- a. Pursuant to Env-Ws 1103.14(a)(1) the maximum allowable concentration of total coliform bacteria and *Escherichia coli* in public bathing facility water is zero counts per one hundred milliliters (0CTS/100mL). The Sidewinder water contained 142 CTS/100mL of total coliform bacteria.

- b. The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Sidewinder water contained greater than 200 CTS/100mL.

- 4. Receiving pool hydraulic design and filter systems shall comply with Env-Ws 1105.04(f). The circulation and filtration system for the Aquabogen does not comply with Env-Ws 1105.04(f) (2)-(4) and (6)-(11).

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A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

- 1 A copy of two weeks of water quality test results for all facilities (please do not send originals).
- 2 A plan of how the circulation system for the Aquabogen will be upgraded.
- 3 A timetable of when the circulation system changes for the Aquabogen will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspections in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Amy Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,


COPY

Jody Connor
Limnology Center Director

Certified Mail # 7099 3400 0002 9770 1949

cc: Mark Harbaugh, Enforcement Attorney, DES ✓
Amy Wilson, Public Bathing Facility Coordinator, DES
Gene Chandler, Health Officer, Town of Bartlett

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